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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,575	12/04/2003	Kosuke Nobuoka	B588-039	9882

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EXAMINER	
HSU, AMY R	
ART UNIT	**PAPER NUMBER**
2609	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/729,575	NOBUOKA, KOSUKE	
	Examiner	Art Unit	
	Amy Hsu	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/4/2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☒ Claim(s) *4* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Specification

1. The disclosure is objected to because of the following informalities: there are many minor spelling errors such as on page 1 Line 27, page 2 Line 26, page 10 Line 27, among other similar errors.

Appropriate correction is required.

Claim Objections

2. Claim 4 is objected to because of the following informalities: the word "frequency" is misspelled. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,2,4, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Mizoguchi (US 6342922).

Regarding Claim 1, Mizoguchi teaches an autofocus apparatus for performing a focusing operation using a frequency component of a video signal (*Col 2 Lines 59-62)*, comprising: extracting means for extracting a frequency component (*Col 7 Lines 59-60)* of a prescribed band in the video signal (*Col 8 Lines 40-42)*; and changing means for

changing the band of the frequency component (*Fig. 9 the switch on the left side, reference number 101b, and Col 8 Lines 40-42*) which is extracted by said extracting means, in accordance with the number of pixels of the video signal (*Col 3 Lines 2-5, resolution is the same as number of pixels).*

Regarding Claim 2, Mizoguchi teaches the apparatus according to claim 1, wherein a plurality of said extracting means are provided (*Col 8 Lines 40-42*), and said changing means selects a desired one of the extracting means from said plurality thereof and the band is changed using said desired extracting means (*Col 13 Lines 11-18).*

Regarding Claim 4, Mizoguchi teaches the apparatus according to claim 1, wherein said extracting means includes first frequency component extracting means (*Fig. 9 the HPF labeled with reference number 101c, for normal resolution mode, or movie mode as described in Col 10 Lines 21-33*), operable in a moving-picture photography mode (*movie mode*) and second frequency component extracting means (*Fig. 9 the HPF labeled with reference number 101b, for high resolution mode or operable in still picture mode*) operable in a still-picture photography mode (*101b is operable, or capable of being put into operation in still-picture photography mode as described in Col 1 Lines 38-40. High resolution mode can be used for a document, which is a still-picture*); said changing means changing the band by selecting one of said first frequency component extracting means and second frequency component extracting means (*Col 8 Lines 40-43).*

Regarding Claim 6, Mizoguchi teaches the apparatus according to claim 1, wherein the frequency component is a high-frequency component (*Col 7 Lines 59-60).*

5. Claims 1 ,3, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohta (US 2002/0080258 A1).

Regarding Claim 1, Ohta teaches an autofocus apparatus (*in Fig. 2)* for performing a focusing operation using a frequency component of a video signal (*focusing is performed based on an evaluation signal, which is correlative with spatial frequencies of the image as described in Paragraph 52 Lines 8-10 and the abstract Lines 5-7. Ohta's disclosure pertains to the transmission of image, otherwise called video)*, comprising: extracting means for extracting a frequency component (*Fig. 2 reference numbers 28a and 28b and Paragraph 50 Lines 6-7 describe extracting means with cut off frequencies that extract certain ranges of frequencies)* of a prescribed band in the video signal (*Paragraph 56 Lines 2-3 and Paragraph 55 Lines 4-6 describe how the operator can select a mode which will adjust the band, so the band is prescribed by the operator's selection)*; and changing means for changing the band of the frequency component (*Paragraph 52 Lines 1-2 describes the operator can select, or change, one of three modes and the mode dictates the band as described in Paragraph 55 Lines 4-6*) which is extracted by said extracting means, in accordance with the number of pixels of the video signal (*The changing means, or operator selecting a mode, is in accordance with the image pattern in Paragraph 56 Lines 2-4,, with the pattern pertaining to characteristics of the image or video signal including the*

number of pixels. Also, the programmable digital filters are affected by zooming data as described in Paragraph 50, where zooming data relates to the number of pixels in the video signal).

Regarding Claim 3, Ohta teaches the apparatus according to claim 1, wherein said extracting means comprises a digital filter (*Paragraph 50 Line 6)* having a coefficient that is variable (*Paragraph 52 describes coefficients K_H and K_L that are programmable and thus variable*).

Regarding Claim 5, Mizoguchi teaches the apparatus according to claim 1, wherein said changing means changes the band in accordance with zoom magnification of zoom processing when electronic zoom processing (*Paragraph 49 describes a digital zooming position signal which is obtained with digital, or electronic zoom processing)*, in which the number of pixels of the video signal is changed (*the number of pixels is inherently changed in digital zooming*), is executed (*The digital zooming position signal is sent into the programmable digital filters and thereby shifts the frequency range, or band of the filters as described in paragraph 50*).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure including Kodama (US 5475429), Lee (US 5614951), Murata et al, (US 5345264), Toji (US 5694168), and Yoshimura et al. (US 5623309).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy Hsu whose telephone number is 571-270-3012. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amy Hsu
Examiner
Art Unit 2609

ah

Kent Chang

KENT CHANG
PRIMARY EXAMINER